THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE D.APPA RAO

WRIT PETITION No.14508 of 2007

DATED : 16-07-2007

Between :

M. Hari Krishna

…Petitioner.

AND

The Commissioner of Police,
Commissionerate of Police,
Hyderabad and 2 others.

…Respondents.

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ORAL ORDER : (per the Hon'ble Sri Justice D.Appa Rao)

None appears for the petitioner. Heard learned Assistant Government Pleader, representing the Advocate General appearing for the respondents.

2. This writ petition of Habeas Corpus is filed by the petitioner seeking production of the alleged detenus viz.,

(1) M.Suresh and (2) M.Balasubrahmanyam on the ground that they were arrested and illegally detained by the Sub-Inspector of Police, Gandhinagar Police Station, Hyderabad.

3. The Sub-Inspector of Police, Gandhinagar Police Station, Gandhinagar, Hyderabad, filed a counter affidavit, *inter alia*, stating that the alleged detenus were accused in Crime No.179 of 2007 registered under Section 498-A of Indian Penal Code of Gandhinagar Police Station. During the course of investigation, they were arrested on 06-07-2007 at about 11-00 a.m., and were produced before the XIII Additional Chief Metropolitan Magistrate, Hyderabad, who inturn remanded them to judicial custody. Pursuant to the said remand order, the alleged detenus are now lodged in Central Prison, Hyderabad.

4. In view of the fact that the alleged detenus were remanded to judicial custody and now lodged in Central Prison, Hyderabad, we do not see any grounds whatsoever to proceed any further in the writ petition and the same is liable to be dismissed.

5. Accordingly, the writ petition is dismissed, at the stage of admission. However, there shall be no order as to costs.

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JUSTICE D.S.R.VARMA

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JUSTICE D.APPA RAO

16-07-2007
Msr.

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